

## REMARKS

### Pending Claims:

In this application, claims 1-3 and 5-19 are currently pending and are not amended herein.

### Rejection under 35 U.S.C. §112

In the Office Action, a rejection of claims 1-3 and 5-19 was made under 35 U.S.C. §112, first paragraph and second paragraph.

The Applicants respectfully request reconsideration of this rejection. The Applicants point out several exemplary passages in the specification that describe how the claimed connection results in the inner conductor being under tensile stress and the outer conductor being under compression stress as claimed:

- Page 3, lines 17-21: A positively locking or force-locking connection of the outer conductor and also the inner conductor to the probe tip on the one hand and the hand portion on the other hand provides that both the outer conductor and also the inner conductor advantageously contribute to the geometrical moment of inertia and thus enhance the flexural strength.
- Page 3, line 22-25: In an embodiment of the disclosure the inner conductor is connected to the hand portion and the probe tip in such a way that the inner conductor is under tensile stress and the outer conductor in under compression stress. That leads to a further increase in the stability of the probe arrangement.
- Page 5, lines 14-17: In still a further preferred embodiment of the disclosure the inner conductor at its proximal end has a male screwthread which is designed to brace the inner conductor with a threaded nut against the first hand portion element.
- Page 6, lines 24-25: At the distal end of the probe the probe tip 11 is connected to the inner conductor 10 by way of a screw connection 17.
- Page 7, lines 25-27: The inner conductor 10 has a screwthread at its proximal end so that – in the inserted condition – the inner conductor 10 can be screwed by way of a nut 80 in relation to the hand portion element 3.
- Page 9, lines 25-32: The inner conductor 10 has a M1.4 screwthread both at its proximal end 10a and also at its distal end 10b. At the distal end 10b the inner conductor 10 has a through bore 16 in transverse relationship with longitudinal axis. The M screwthread at the distal end 10b of the inner conductor 10 can be screwed into the screwthreaded bore 17 of the tip electrode 11 while the M screwthread at the proximal end 10a, when the probe is completely assembled, appears out of the longitudinal bore of the

hand portion element 3. The inner conductor 10 can be screwed against the hand portion element 3 by means of the nut 81 [sic 80] which is screwed onto the M screwthread.

In addition, the drawings display how the claimed connection results in the inner conductor being under tensile stress and the outer conductor being under compression stress as claimed. Fig. 1, for example, shows the inner conductor 10 receiving the nut 80 thereon. Further, Fig. 3 shows that at the distal end, tip 11 is connected to the inner conductor 10 by way of a screw connection 17.

In light of these descriptions in the specification and drawings, Applicants assert that one of ordinary skill in the art will readily appreciate that the claimed connection results in the inner conductor being under tensile stress and the outer conductor being under compression stress as claimed. Accordingly, the Applicants respectfully submit that the description is enabling of the recitation in claims 1-3 and 5-19 and therefore requests withdrawal of the rejections under 112, 1<sup>st</sup> and 2<sup>nd</sup> paragraphs.

#### **Rejection under 35 U.S.C. §102(b)**

The Examiner has rejected claims 1, 2, 5-8, 10-17 and 19 as being anticipated by Arndt. The Applicants respectfully submit, however, that the “connection between the inner conductor and to the hand portion and the probe tip in such a way that the inner conductor is under a tensile stress and the outer conductor is under a compression stress”, recited in claim 1, and all of the other claims through dependency, distinguishes the claims over Arndt which does not show any such connection and no such resulting tensile/compression relationship. In light of the discussion above regarding the enablement of this recitation, the Applicants request that this element be considered with respect to the prior art, and submits that the prior art does not show this element.

#### **Rejection under 35 U.S.C. §103**

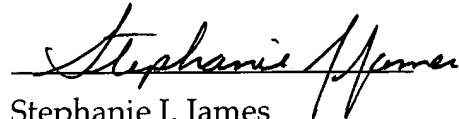
The Examiner has rejected claims 3 and 18 as being obvious in light of Arndt in view of Berube. Claims 3 and 18 depend from claim 1 and therefore include the recitation of the “connection” discussed above with respect to the 102 rejection. In light of the discussion above regarding the enablement of this recitation, the Applicants request that this element be considered with respect to the prior art, and submits that the prior art does not show this element.

### CONCLUSION

All of the claims remaining in this application should now be seen to be in condition for allowance. The Applicants earnestly request a notice to that effect. The Examiner is invited to contact the Applicants' attorney at the below-noted telephone number if allowance of this case would be assisted thereby.

Respectfully submitted,  
Dr. Kai Desinger et al  
By their attorneys:

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